HON'BLE Dr. JUSTICE G. YETHIRAJULU

Writ Petition No.2583 of 2004

Dated this the 27th day of November, 2007

Between:

Akram Khan … Petitioner

AND

Regional Passport Authority,
Passport Office,
Secunderabad. …. Respondent

HON'BLE Dr. JUSTICE G. YETHIRAJULU

Writ Petition No.2583 of 2004

ORDER:

This Writ Petition has been filed by the petitioner challenging the action of the respondent-Regional Passport Authority refusing the request of the petitioner to amend his date of birth in the passport.

2) The petitioner made an application to the Regional Passport Authority for issuance of passport and the passport was issued to him by the respondent. Subsequently, he noticed that his date of birth was wrongly shown as 06.11.1968 though his original date of birth is 29.09.1975.

3) The learned counsel for the petitioner represented that the Regional Passport Authority did not properly verify the extract of the school register and incorporated the wrong date in the passport as date of birth of the petitioner.

4) On perusal of the entire material available on record, it reveals that the petitioner did not take any steps to summon the original application or to place such other material to show that he mentioned the correct date of birth in the application made to the

Regional Passport Authority. In the absence of such material, it is not known whether the petitioner himself mentioned the wrong date in the application or the respondent mentioned the wrong date in the passport, though the petitioner mentioned the correct date of birth in the application. Had the petitioner correctly mentioned the date in the application and if the wrong mentioning of the date of birth is at the instance of the Regional Passport Authority, a direction can be given to correct the same as per the date of birth furnished by the petitioner in the application. However, if the date of birth is wrongly mentioned in the application itself, the petitioner has to approach the Civil Court to declare his correct date of birth.

5) In the light of the above circumstances, the Regional Passport Authority is directed to verify the application presented by the petitioner to see whether he mentioned the correct date of birth in the application and whether it tallied with the entry mentioned in the Secondary School Leaving Certificate. If that is tallied, the Regional Passport Authority is directed to correct the date of birth in the passport and if the date of birth mentioned in the application made by the petitioner is a different one, the Regional Passport Authority shall communicate the said information to the petitioner to enable him to work out his rights in the appropriate forum.

6. With the above observations and directions, the Writ Petition is disposed of. No order as to costs.

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Dr. G. YETHIRAJULU, J

Date: 27—11--2007
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